

Message Text

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PAGE 01 STATE 066726

67

ORIGIN L-03

INFO OCT-01 NEA-10 ADP-00 SCA-01 SS-15 NSC-10 SY-07 PM-09

CIAE-00 INR-10 NSAE-00 RSC-01 DODE-00 INRE-00 /067 R

DRAFTED BY L/ M/ SCA: H. F. SHAMWELL, JR.

4/10/73 20768

APPROVED BY L/ M/ SCA - K. E. MALMBORG

NEA/ GRK - MR. CHURCHILL

NEA/ EX - MR. T. DAVIS (INFO)

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P 102306 Z APR 73

FM SECSTATE WASHDC

TO AMEMBASSY ATHENS PRIORITY

C O N F I D E N T I A L STATE 066726

EO 11652: GDS

TAGS: PFOR, PINS, GR

SUBJECT: REQUEST FOR WAIVER OF DIPLOMATIC IMMUNITY OF
TWO MEMBERS OF MISSION

REF: ATHENS 2049

1. REFTEL REQUESTED ADVICE FROM DEPARTMENT CONCERNING POSSIBLE WAIVER DIPLOMATIC IMMUNITY TWO EMBASSY OFFICERS IN ORDER PERMIT THEM TO RESPOND TO SUMMONSES TO APPEAR ON APRIL 12 BEFORE SPECIAL MILITARY COURT. EMBASSY INDICATED THAT SUBJECT OF PROPOSED TESTIMONY IS RECENT BOMBINGS OF THEIR PRIVATELY OWNED VEHICLES BY TERRORISTS.

2. WHILE DEPARTMENT IS NOT FAMILIAR WITH SPECIFIC FACTUAL CIRCUMSTANCES INVOLVING THE BOMBINGS IN QUESTION, DEPARTMENT BELIEVES IT DESIRABLE TO COOPERATE AS FULLY AS POSSIBLE WITH GREEK AUTHORITIES, INCLUDING JUDICIAL OFFICIALS AND AGENCIES, IN COMBATTING TERRORISTS ACTIVITIES OF THIS TYPE. CONSEQUENTLY, IF EMBASSY DETERMINES THAT NO DAMAGE WILL BE CAUSED US INTERESTS BY LIMITED TESTIMONY OF EMBASSY OFFICERS, THEN PERMISSION GRANTED FOR WAIVER OF THEIR DIPLOMATIC IMMUNITY.

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PAGE 02 STATE 066726

3. IN NOTIFYING MINISTRY OF FOREIGN AFFAIRS OF WAIVER OF IMMUNITY OF OFFICERS, EMBASSY SHOULD POINT OUT THAT WAIVER IS LIMITED TO SPECIFIC TESTIMONY REGARDING FACTUAL CIRCUMSTANCES WITHIN KNOWLEDGE OF EMBASSY OFFICERS AND THAT NO WAIVER FOR ANY OTHER PURPOSE IS INTENDED. IF EMBASSY OFFICERS CAN FURNISH TESTIMONY VIA WRITTEN DEPOSITION, THEN THIS METHOD WOULD BE PREFERRED BY DEPARTMENT. HOWEVER, IF TESTIMONY WOULD BE MORE EFFECTIVE BY APPEARANCE IN OPEN COURT AND IF US INTERESTS WOULD BE SERVED, THEN AUTHORITY GRANTED FOR SUCH PERSONAL APPEARANCES. ROGERS

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NMAFVVZCZ

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*** Current Classification *** CONFIDENTIAL

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